

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA (41)
11-3-00
sc

JOHN RICHARD JOE CIVIL No. 1:00-cv-001090
Plaintiff FILED
HARRISBURG

vs. NOV 6 2000 S. DISTRICT JUDGE RAMZI
MARY E. D'ANDREA, CLERK
per ~~Magistrate Judge Smith~~
DEPUTY CLERK

DR. ROBERT CLARK, et al. Magistrate Judge Smith
Defendants.

MOTION FOR ENLARGEMENT OF TIME

COMES now, the Plaintiff & His Counsel in the above entitled
Action, John Richard Joe, as a layman Unlettered in the Arts & Sciences
the Laws & Legal Procedures within the United States & now files his Motion
For Enlargement of Time, Hereto, pursuant to Fed. R. Cr. P. 6(b) &
avers, deposes & states:

1. On October 6, 2000, U.S. Magistrate Judge J. Andrew Smith
issued the following Order, herein the above entitled Civil Action:

"AND NOW, this 6th day of October, 2000, IT IS HEREBY
ORDERED that within fifteen days of the date of this order
defendants Dragovich, Blakovich, Novotney, Kazan and Andrade shall file any
relevant evidence they wish concerning the issue of imminent
danger and a supplemental brief in support of their motion.

Within fifteen days after the filing of the brief and evidence
by defendants Dragovich, Blakovich, Novotney, Kazan and Andrade, the
Plaintiff shall file any relevant evidence he wishes concerning the
issue of imminent danger and a brief in opposition to the motion to
revoke his in forma paupers status.

2. On October 23, 2000, Corrections defendants filed their Supplemental Brief

of Motion to Revote Plaintiff's In Forma Paupers Status and to Defendants
of Responsive Pleading to Plaintiff's Amended Complaint & the Appendix &
Supplemental Appendix, herein in this case.

3. Due to the facts that, Plaintiff just completed pleadings in his
Civil Rights Actions and has no time yet to work on his BPPA
Relevant Evidence herein in this case, that, he, on November 12, 2000
will be sending his relevant evidence out to be photocopied to
his legal advisor and that it will take his legal advisor another
two weeks to copy & return such back to this Plaintiff, that
Plaintiff is attempting to get an Attorney to represent him &
his relevant evidence & brief herein in this case and due to the fact
that this Plaintiff is now at the SMU ATSCI - Greene & that the
staff here severely limit the number of hours & times this Plaintiff
use the SMU Main Law Library here (once a month for two hours)
Plaintiff has been unable to do the necessary legal research
order to enable him to prepare & file his relevant evidence
& brief herein in this case, the Plaintiff is unable to prepare
& serve his relevant evidence & brief in opposition to
Defendants' Motions to Revote Plaintiff's In Forma Pauperis
Status, herein by the present due date for each of November 12, 2000
& thus he requests an enlargement of time of forty-five (45)
from this date & to & including December 13, 2000, in which
to prepare, file & serve his relevant evidence & brief, herein in this

RESPECTFULLY SUBMITTED

(S) John Richard Rae
Mr. JOHN RICHARD RAE,
Plaintiff and his Second

Dated: 29th OCTOBER 2000:

MB: John Richard Rae,

#BQ-3219

ATSCI-Greene/SMU
175 Progress Drive

CR#1 No. 1-cr-99-0071

CERTIFICATE OF SERVICE

I certify under penalty of perjury & pursuant to 28 U.S.C. § 1746 that on 10/30/00, I caused to be served upon the Person/s below, a true & correct copy each of the Plaintiff's ^{Opposition} ^{to the} Objections to the U.S. Magistrate Judge's Report and Recommendation of June 14, 2000, herein, by way of U.S. 1st Class Mail, postage paid.

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746, on 10/30/00, I gave to prison officials here for mailing to the original of the above- same document:

MR. JAMES D. YOUNG, Esquire
LAUER/FAHERTY, YOUNG & PATTERSON, P.C.
ATTORNEYS AT LAW
P.O. Box 1245
HARRISBURG, PA. 17108-1245

MR. ROBERT M. WOLFF,
ASSISTANT COUNSEL
Pennsylvania Department of Corrections
550 Hopy Drive
Camp Hill, PA. 17011

Dated/Executed on:
30th OCTOBER 2000

At: Harrisburg, Pennsylvania:

(S) John Richard Da
MR. JOHN RICHARD DA
PLAINTIFF and Rose Can